

CHAPTER Pari 1000 BINGO GAMES

Statutory Authority: RSA 287-E:3

REVISION NOTE:

Pursuant to 2004, 257:16, effective 1-1-05, rules in Part Sw 2001 entitled “Bingo Games” were transferred to the Pari-Mutuel Commission from the Lottery Commission. Part Sw 2001 had last been filed by the Sweepstakes Commission under Document #8000, effective 12-12-03. The Sweepstakes Commission was renamed the Lottery Commission pursuant to 2004, 97:1-9, effective 7-10-04.

The Pari-Mutuel Commission subsequently filed Document #8802, effective 1-20-07, which readopted with amendments and renumbered the former Part Sw 2001 as Chapter Pari 1000. The rules in Document #8802 therefore replaced all prior filings for rules in the former Part Sw 2001. The filings of the Sweepstakes Commission affecting the former Part Sw 2001 include the following documents:

#1902, eff 12-28-01
#2538, eff 12-4-83
#3159, eff 12-13-85
#4614, eff 5-23-89
#5070, eff 2-21-91
#5327, eff 2-14-92
#6107, eff 10-27-95
#6607, eff 10-22-97
#6608, eff 10-22-97
#7166, eff 12-21-99
#7308, eff 6-13-00
#7869, eff 4-11-03
#8000, eff 12-12-03

PART Pari 1001 PURPOSE AND SCOPE

Pari 1001.01 Purpose. The purpose of this chapter is to establish requirements for bingo games pursuant to RSA 287-E:1 through RSA 287-E:15.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1001.02 Scope.

(a) Except as provided in (b) below, this chapter shall apply to:

- (1) Bingo games held by:
 - a. Charitable organizations;
 - b. Agricultural fairs; and
 - c. Private campgrounds and hotels;
- (2) Distributors and manufacturers of bingo supplies and equipment and lucky 7 machines; and
- (3) Commercial halls where bingo games are held.

(b) Pursuant to RSA 287-E:11, this chapter shall not apply to bingo games held by a senior citizens' organization.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1002 BINGO DEFINITIONS

Pari 1002.01 "Auxiliary" means a group of people functioning in a subsidiary capacity to assist the primary charitable organization.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.02 "Bingo brain" means an electronic device into which all card or strip numbers are entered and which automatically tracks announced numbers and scans the cards or strips to see if the player has the number, allowing the simultaneous play of a large number of cards or strips.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.03 "Card" means a game piece containing the word "bingo" and 24, randomly numbered 1 through 75, spaces and one free space.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.04 "Carryover coverall game" means a type of winner-take-all cover-all game pursuant to RSA 287-E:7, XVI in which any prize money, not won, is rolled from one game day to another.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.05 "Commercial hall" means any hall owned or leased by an individual, corporation, realty trust, partnership, association or any other party, who rents or leases to a charitable organization, for the operation of bingo games excluding halls owned by any charitable organization or governmental subdivision as specified in RSA 287-E:5, VI.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.06 "Free play" means any card or strip for a bingo game, other than a winner take all or carry over coverall, offered by coupon or any other means during a licensed game date which only certain persons are awarded for no cost or for a cost less than that listed on the game schedule for the card or strip if that person meets the criteria specified in Pari 1008.01(c)(15).

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.07 "Game date" means a series of games played on a specified date.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.08 “Game day” means regularly scheduled games played on the same day of each successive week.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.09 “Game schedule” means a written description indicating the type(s) of game(s) to be played, the name of the game(s), all prizes to be offered and such other information as specified in Pari 1011.01.

Pari 1002.10 “House rules” means instructions describing how bingo games are conducted, played and won adopted by a charitable organization pursuant to Pari 1008.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.11 “Initial application” means:

- (a) The first time that a charitable organization submits a bingo license application to the commission;
- (b) A bingo license application from a charitable organization whose previous license has been expired for more than 30 days; or
- (c) A bingo license application from a charitable organization one year or more after the organization’s bingo license was revoked pursuant to Pari 1019.02.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.12 “Lighted game board” means a large lighted board displaying the numbers 1 through 75 which light up as the numbered balls are announced and placed in a rack.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.13 “Mixing machine” means a machine containing 75 numbered balls and a blower attachment blowing air on the balls to mix them up and randomly force one ball at a time up a chute to be drawn.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.14 “Renewal application” means an application by a charitable organization which is not an initial application.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.15 “Strip” means a paper sheet containing 3 or more bingo squares which is of a predetermined color used to distinguish bingo games.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.16 “Winner-take-all game” means a game, pursuant to RSA 287-E:7, XIII, in which all money received for the game is awarded, less the 7 percent (%) tax and 7% game reimbursement fee specified in RSA 287-E:7, XIII, to the winner of the game.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1002.17 “Wholesale cost” means the value paid by the charitable organization for a prize.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1003 APPLICATION PROCEDURES FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1003.01 Application Procedures for a Bingo License for a Charitable Organization.

- (a) Prior to holding a bingo game, a charitable organization shall:
 - (1) Apply to the commission for a bingo license; and
 - (2) Be issued a bingo license by the commission.
- (b) Each applicant for a bingo license shall submit the following to the commission:
 - (1) A fully executed application form as required by either Pari 1004.01 or Pari 1006.01, as applicable;
 - (2) The supporting documentation specified in either Pari 1004.02 or Pari 1006.02, as applicable;
 - (3) A completed bingo/lucky 7 data verification form as required by Pari 1005.01, as applicable; and
 - (4) A fee for each bingo game date as specified in RSA 287-E:4, I.
- (c) If the commission, for the purpose of determining the applicant’s qualifications for licensure, determines that any information or documents specified in (b) above were not submitted or fully completed by the applicant, the commission shall:
 - (1) Notify the applicant in writing within 5 days of the date the application is received by the commission; and
 - (2) Specify the information or documents which the applicant is required to submit or complete.
- (d) If required pursuant to (c) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.
- (e) The commission shall approve or deny the application in writing within 15 days of the date that:
 - (1) The application is received by the commission; or
 - (2) If information or documents are required pursuant to (c), the information or documents are received by the commission from the applicant.
- (f) The commission shall approve the application and issue a license if the applicant has:
 - (1) Complied with the application procedure as specified in this part;

- (2) Complied with the requirements in Pari 1004 or Pari 1006, as applicable;
 - (3) Complied with the requirements in Pari 1005; and
 - (4) Met the qualifications for licensure as specified in RSA 287-E:5 and RSA 287-E:6 .
- (g) The commission shall deny the application if the applicant has:
- (1) Not complied with the application procedure as specified in this part;
 - (2) Not complied with the requirements in Pari 1004 or Pari 1006, as applicable;
 - (3) Not complied with the requirements in Pari 1005; or
 - (4) Not met the qualifications for licensure specified in RSA 287-E:5 and RSA 287-E:6.
- (h) If the commission denies an application:
- (1) The commission's written notification pursuant to (e) above shall specify the reason(s) for denial; and
 - (2) Pursuant to RSA 287-E:4, II, the application fee specified in (b)(4) shall be refunded to the applicant.
- (i) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.
- (j) If an applicant requests a hearing pursuant to (i) above and the denial is overturned, the applicant shall resubmit the application fee specified in (b)(4) to the commission before the commission will issue a license.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1003.02 Expiration of a Bingo License for a Charitable Organization.

- (a) A bingo license for a charitable organization issued pursuant to this chapter shall expire on the last game date authorized in the license as specified in RSA 287-E:6, I(a) but not later than the last day of the month for which the license was issued.
- (b) A charitable organization shall not hold any bingo games if their license has:
- (1) Expired as specified in (a) above;
 - (2) Been suspended pursuant to Pari 1019.01;
 - (3) Been revoked pursuant to Pari 1019.02; or
 - (4) Been denied pursuant to Pari 1003.01(g).

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1004 INITIAL APPLICATION FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1004.01 Initial Application for a Bingo License for a Charitable Organization.

(a) A charitable organization shall submit to the commission, as specified in RSA 287-E:5, IV, a fully completed "Initial Application for a Bingo License" form, provided by the commission, which:

- (1) Relates only to activities which will take place in a single monthly period beginning on the first day of an upcoming month and ending on the last day of the same upcoming month;
- (2) Is signed under oath by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (3) Is received by the commission at least 15 days prior to the first game date of the month for which the license has been requested.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only bona fide members of the charitable organization will operate bingo games, neither the applicant nor any member of the charitable organization operating the bingo games has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant and any member of the organization participating in the operation of bingo games are aware of all statutes and rules applicable to the operation of bingo games."

(c) If at any time an initial bingo application is pending, or at any time an initial license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(d) If at any time an initial bingo application is pending, or at any time an initial bingo license is in effect, any of the information provided on or with an initial bingo application under this section changes, or becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting documentation containing the correct information.

(e) Licensed charitable organizations shall maintain their IRS tax-exempt status, and all other qualifications for licensure, during the period of licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(f) The commission shall suspend or revoke a license, as specified in Pari 1019, if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1004.02 Supporting Documentation for Initial Application for a Bingo License for a Charitable Organization.

(a) An applicant shall provide the following supporting documents with the initial application for a bingo license for a charitable organization:

(1) Pursuant to RSA 287-E:5, I, documentation that the member of the charitable organization submitting the application on behalf of the organization is an officer, director or official presently duly authorized to submit applications, renewal applications and supporting documents on behalf of the organization, in the format described in (b) below;

(2) A copy of either:

a. The IRS letter of determination:

1. Stating that the charitable organization is exempt from federal income tax;
2. Granting tax exempt status to the charitable organization under 26 USC §§501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10) or 501(c)(19); and
3. Including the charitable organization's federal tax identification number; or

b. If the charitable organization's exempt status is by virtue of a group exemption:

1. A copy of the IRS letter of determination to the entity with which the charitable organization is connected indicating that that entity possesses a group exemption under the authority of one of the code provisions noted in a.2. above; and
2. A letter from the entity with which the charitable organization is connected stating that the charitable organization is covered by the group tax exemption and its tax exemption number;

(3) Documentation that the city or town in which the charitable organization seeks to hold its bingo game(s) has adopted, and currently has in effect, the local option provision of RSA 287-E:27, in the form of a copy of the currently-effective ordinance or vote of the municipality adopting these provisions;

(4) A certificate from the New Hampshire secretary of state, or a copy thereof, stating:

a. That the charitable organization is registered with the secretary of state as a nonprofit corporation; and

b. The charitable organization's date of registration;

(5) A certificate from the New Hampshire secretary of state, or a copy thereof, stating that the charitable organization is currently in good standing;

(6) If the charitable organization is required to register with the director of charitable trusts under RSA 7:19 through RSA 7:32-a, a certificate from the New Hampshire department of justice,

charitable trusts division, or a copy thereof, stating that the organization is so registered and is in good standing;

(7) Documentation indicating the charitable purposes for which the charitable organization was organized, and the extent these charitable purposes have been furthered by the charitable organization within the community by goods, services or both, in the format described in (c) below;

(8) A copy of the charitable organization's current articles of incorporation;

(9) A copy of the bylaws of the charitable organization;

(10) A copy of the charitable organization's current membership list;

(11) A current list of:

a. The officers and directors of the charitable organization; and

b. Any officials of the charitable organization who are authorized to submit applications and supporting materials;

(12) A copy of the current lease agreement as specified in Pari 1017.07 between the charitable organization and the commercial hall in which games will be held, if any;

(13) A letter of intent in the format described in (d) below;

(14) A fully executed bingo/lucky 7 data verification form containing the information specified in Pari 1005.01;

(15) A game schedule as specified in Pari 1011; and

(16) A copy of the charitable organization's house rules as specified in Pari 1008.

(b) The documentation required under (a)(1) above shall consist of a letter from the secretary of the charitable organization, on the letterhead of the charitable organization:

(1) Stating that the person submitting the application is a member of the organization;

(2) Stating the person's title within the organization;

(3) Stating that the person is presently authorized by the board of directors of the organization to file bingo application forms and supporting materials on behalf of the organization; and

(4) Enclosing therewith a true and accurate copy of the minutes, or other written recording of the vote of the board of directors of the organization, authorizing the person to file bingo application forms and supporting materials on behalf of the organization.

(c) The documentation required under (a)(7) above shall consist of a letter from the charitable organization to the commission that:

(1) Begins with the phrase "The charitable purposes of," followed by the name of the charitable organization, the word "are" and a description of the charitable purposes of the charitable organization which:

a. Indicates the religious, civic, fraternal, veterans' or other charitable purposes of the organization, other than charitable gambling, for which the organization is organized; and

- b. Describes how the purposes noted in (c)(1)a. above are furthered by activities conducted in the town or city in which the organization is organized;
 - (2) Bears the letterhead of the charitable organization;
 - (3) Is signed by an official of the charitable organization who is authorized by the organization to do so; and
 - (4) Bears the date that the letter was signed.
- (d) The letter of intent noted in (a)(13) above shall:
- (1) List the dates of activities, other than charitable gambling or activities conducted solely for the purposes of raising funds for the charitable organization, conducted by the charitable organization within the 2 year period prior to the date of the application which advance the charitable organization's charitable purpose; and
 - (2) Describe the activity conducted, including in the description the location at which the activity was conducted.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART 1005 BINGO/LUCKY 7 DATA VERIFICATION FORM

Pari 1005.01 Bingo/Lucky 7 Data Verification Form.

(a) An applicant for a bingo license shall submit a "Bingo/Lucky 7 Data Verification Form" provided by the commission as an attachment to their initial license application as required by Pari 1004.02(a)(14).

(b) The duly authorized officer, director or official who is submitting the form on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete."

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1006 RENEWAL APPLICATION FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1006.01 Renewal Application for a Bingo License for a Charitable Organization.

(a) A charitable organization shall submit to the commission, as specified in RSA 287-E:5, IV, a fully completed "Renewal Application for a Bingo License" form, provided by the commission, which:

- (1) Relates only to activities which will take place in a monthly period beginning on the first day of an upcoming month and ending on the last day of the same month;

- (2) Is signed by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (3) Is received at the commission at least 15 days prior to the first game date of the month for which the license has been requested.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only bona fide members of the charitable organization will operate bingo games, neither the applicant nor any member of the charitable organization operating the bingo games has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant and any member of the organization participating in the operation of bingo games are aware of all statutes and rules applicable to the operation of bingo games.”

(c) If at any time a renewal bingo application is pending, or at any time a bingo license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(d) If at any time a renewal bingo application is pending, or at any time a bingo license is in effect, any of the information provided on or with an initial bingo application under this section changes, or becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting material containing the correct information.

(e) Licensed charitable organizations shall maintain their IRS tax-exempt status, and all other qualifications for licensure, during any period of renewal licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(f) The commission shall suspend or revoke a bingo license renewal, as specified in Pari 1019, if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1006.02 Supporting Documentation for a Renewal Application for a Bingo License for a Charitable Organization. The applicant shall submit to the commission the following supporting documentation with any renewal application(s) for a bingo license for a charitable organization:

- (a) If a not previously submitted, a complete membership list for the charitable organization;

(b) If the charitable organization conducted bingo in any month prior to the month for which the application is requested, any original, signed bingo financial report, as required by Pari 1014.02, for any month which has not previously been submitted and which is due or overdue;

(c) If the charitable organization conducted bingo in any month prior to the month for which the application is requested, any 7% winner-take-all bingo taxes under RSA 287-E:8 for any month which has not previously been submitted and which is due or overdue;

(d) If at the time of the filing of the renewal the bingo/lucky 7 data verification form previously filed is no longer accurate or complete, a fully executed bingo/lucky 7 data verification form containing the information specified in Pari 1005.01;

(e) If any information appearing on an initial application form or any more recent renewal application form has changed, is no longer accurate or has been found to be inaccurate, either:

(1) A new, signed, application or renewal form containing the corrected information, with all required attachments thereto that are subject to correction; or

(2) A written correction of that information; and

(f) If any of the supporting documentation previously submitted pursuant to Pari 1004.02 or in conjunction with any more recent renewal application, including but not limited to the charitable organization's list of members has changed, is no longer accurate, is no longer effective, or has been found to be inaccurate, a corrected version of the supporting material.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1007 DISPLAY OF BINGO LICENSES AND HOUSE RULES

Pari 1007.01 Display of Bingo Licenses and House Rules.

(a) A bingo licensee shall prominently display their bingo license in the public area where bingo games are conducted.

(b) A bingo licensee shall post at least 2 copies of RSA 287-E, this chapter and any house rules as required by Pari 1008.01 with the license.

(c) A bingo licensee shall prominently display at least 2 copies of the house rules on posters, the bottom edge of which shall be posted not less than 54 inches nor higher than 60 inches above the floor with print size not less than 5/8 inches nor more than 2 inches.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1008 BINGO HOUSE RULES

Pari 1008.01 Bingo House Rules.

(a) A bingo licensee shall not adopt or use any house rule that violates RSA 287-E or this chapter.

(b) A bingo licensee shall publicly announce all house rules prior to the start of the first game of each bingo game date.

(c) A bingo licensee shall adopt and follow house rules that address at least the following:

- (1) What constitutes a bingo and whether or not the last number called need be involved;
- (2) The responsibility of the bingo player to make it known to the game officials that the player has a bingo;
- (3) Reserved seats;
- (4) Sale of cards;
- (5) Availability, use and sale of special cards for the blind or handicapped;
- (6) Card exchange, if allowed;
- (7) If the charity uses a mixing machine, whether or not the mixing machine will be shut off before a bingo has been verified or during a progressive bonus game;
- (8) The time of final sales;
- (9) Whether or not regular card purchase is necessary to play the winner-take-all game;
- (10) When a ball is an official ball;
- (11) Smoking/non-smoking policy which shall comply with RSA 155:66 through RSA 155:70;
- (12) Use of a bingo brain or device that allows a player to play several cards at the same time;
- (13) The carryover coverall consolation prizes and the manner in which they will be awarded;
- (14) The effective date of the house rules;
- (15) A detailed description of the types of free plays offered and the criteria for awarding the free plays;
- (16) The name of a member of the charitable organization to be contacted by a player with comments, concerns or questions; and
- (17) That the bingo game will be conducted in accordance with RSA 287-E and this chapter.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1009 BINGO GAME DESIGN PATTERNS

Pari 1009.01 Bingo Game Design Patterns.

(a) As specified in this section, the commission shall approve bingo game design patterns to assure compliance with existing law prior to the games being played.

(b) Bingo game design patterns approved for one charitable organization may be used by any other charitable organization without additional authorization.

(c) A charitable organization shall submit a written request to the commission for approval of a bingo game design pattern that has not previously been approved by the commission:

- (1) Containing a written description of the proposed game; and
- (2) Including a sample of the proposed game design pattern.

(d) The charitable organization requesting approval of the game design pattern shall be notified by mail within 15 days from the date the request is received by the commission whether or not the game design has been approved.

(e) The commission shall approve a games design pattern if:

- (1) The game can be understood by the player;
- (2) The odds of winning are not weighted against the player;
- (3) The cumulative prize value does not exceed \$3,500, except for winner-take-all or carryover coverall games; and
- (4) The game otherwise meets the requirements of RSA 287-E and this chapter.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1010 OPERATION OF BINGO GAMES

Pari 1010.01 Operations of the Bingo Game.

(a) Pursuant to RSA 287-E:7, VIII, the price of a single bingo card, whether sold individually or as part of a strip or package, shall not exceed \$1 per card per game date. Individual games which offer a multiple prize payout, based on prizes normally offered, shall also not exceed \$1 per card per game date.

(b) Unless waived as specified in (c) and (d) below, the charitable organizations shall use:

- (1) A lighted game board; and
- (2) A mixing machine.

(c) A charitable organization shall submit a written waiver request to the commission:

- (1) Stating the amount of time that the charitable organization has conducted bingo games; or
- (2) Documenting through financial statements that the rental or purchase price of the equipment would exceed a good faith estimate of net revenue during the license period.

(d) The commission shall approve a request for a waiver of the utilization of a lighted game board or of a mixing machine under (c) above if the commission determines that:

- (1) The charitable organization has conducted bingo games for a period of less than 2 years; or-
- (2) The rental or purchase price of the equipment exceeds a good faith estimate of net revenue during the license period.

(e) The caller or operator drawing the bingo balls shall:

- (1) Draw one ball at a time;
- (2) Have no discretion over which ball is drawn;
- (3) Announce the number drawn simultaneously to all players; and
- (4) After each ball is drawn, display the ball prior to putting it in the lighted game board unless the requirement of a lighted game board is waived as specified in (c) and (d) above.

(f) Prior to the first game of each bingo game date, the caller or operator shall for each bingo game that uses a lighted game board and mixing machine announce that all of the balls are in the rack and are available for inspection by anyone who wishes to inspect the system.

(g) Pursuant to RSA 287-E:7, IX, the charitable organization shall not charge a fee for admission to bingo games.

(h) The charitable organization shall allow anyone to purchase a minimum of one card, strip or package depending on what is being sold at a particular bingo game and shall not charge anyone more than the maximum price as specified in (a) above.

(i) The charitable organization may offer prizes including door prizes, tokens or awards, but the amount, as specified in (l) below, of those prizes, tokens or awards shall be calculated as part of the daily prize limit specified in RSA 287-E:7, XI.

(j) The value of free plays awarded shall not be included as part of the daily prize limit specified in RSA 287-E:7, XI.

(k) Notwithstanding (j) above, the charitable organization shall specify for each type of free play awarded on the monthly financial report pursuant to Pari 1014 the:

(1) Number of free plays awarded; and

(2) The total value of the free plays awarded calculated by multiplying the number awarded by the amount for the card, strip or package specified on the game schedule;

(l) The charitable organization shall include the wholesale cost of any door prize, token or award in the daily prize limit.

(m) The charitable organization shall not offer any individual door prize at any licensed bingo game date with a total value that exceeds \$500.00.

(n) Individual door prize values shall not be pro-rated over multiple game dates to meet the \$500 limit specified in (k) above.

(o) The charitable organization shall not charge for any door prize ticket.

(p) Each person working at a bingo game shall wear an identification badge that shall bear the worker's name and the name of the charitable organization of which that person is a member.

(q) As soon as the charitable organization officially opens the doors to the players or begins the sale of bingo cards, the charitable organization pursuant to RSA 287-E:7, III, shall not allow any person under 18 years of age on the premises where a bingo game is being conducted.

(r) All strips shall contain a sequential serial number.

(s) Hall managers, operators or owners shall keep all bingo related equipment, including but not limited to the mixing machine, ball rack and lighted game board, in proper, functional working order.

(t) The charitable organization shall announce the total attendance and total amount of money collected in sales relating to any winner-take-all game prior to the start of any winner-take-all game.

(u) Pursuant to RSA 287-E:8-a, the charitable organization shall purchase, lease or rent all bingo paper supplies, electronic bingo player equipment and lucky 7 vending machines from a distributor and manufacturer licensed as specified in Pari 1018.

(v) RSA 287-E:7, III, shall apply to the specific area of a premises where a bingo game is actually being conducted.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1010.02 Operations of a Carryover Coverall Game.

(a) The carryover coverall bingo game prize money shall be rolled over to a successive game day in the event there is no winner on the original or preceding game day.

(b) The carryover coverall bingo game prize money shall accumulate until there is a winner.

(c) If there is no winner on a given game day, a pre-designated consolation prize amount shall be awarded to the game winner who first achieves coverall.

(d) No bonus prize shall be included in the carryover coverall bingo game prize payout.

(e) Other bingo game configurations may be played concurrently with the coverall bingo game.

(f) The carryover coverall bingo game shall be a winner-take-all game.

(g) The carryover coverall bingo prize shall:

(1) Be organization specific; and

(2) Not be transferable between charitable organizations playing within a given hall.

(h) As specified in Pari 1013.02(a)(2), the charitable organization shall maintain a separate bank account at a financial institution with at least one office in New Hampshire into which all carryover coverall funds are deposited.

(i) Withdrawals from the carryover coverall account shall require the signature of both the charitable organization's treasurer and chairperson.

(j) Prior to completion of the last game day played by a charitable organization at a given location, the entire accumulated carryover coverall jackpot shall be awarded unless the commission waives that requirement for good cause shown as specified in (k) and (l) below.

(k) As specified in (j) above, the charitable organization shall submit a written waiver request specifying:

(1) The reason that the carryover coverall jackpot was not awarded on the last game day played at a given location; and

(2) The alternate method to be used to award the carryover coverall jackpot including the date and location.

(l) The commission shall approve a request for a waiver under (k) above if the commission determines that:

(1) The reason that the carryover coverall jackpot was not awarded on the last game day played at a given location was:

a. Due to an event beyond the control of the charitable organization;

- b. In the best interests of the public; or
 - c. In the best interests of the charitable organization; and
- (2) The carryover coverall jackpot will not be retained by the charitable organization and will be awarded at a licensed bingo game within 30 days of the date the jackpot was supposed to be awarded.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1011 GAME SCHEDULES

Pari 1011.01 Game Schedules.

(a) A charitable organization shall not play any bingo game unless the game has been identified on a game schedule approved by the commission pursuant to this section.

(b) Each charitable organization seeking to hold a bingo game(s) shall prepare a written game schedule request containing the information specified in (c) below.

(c) The charitable organization shall not include a fee for a bingo brain rental in any package price.

(d) A charitable organization shall submit a written request to the commission for a game schedules approval that:

(1) Identifies the date upon which the charitable organization submitting the request proposes that the game(s) described will first be played; and

(2) Includes a proposed game schedule that states:

- a. The name of the licensee or applicant for licensure that will be sponsoring the game(s);
- b. The location and time of the proposed game(s);
- c. The day of the week on which game(s) will be held, or if the request relates to a game that will be played on only one date, the date and day of the week that the game(s) will be played;
- d. The estimated number of players attending;
- e. The prices for each strip, card or package to be sold;
- f. Specific details about the number and price for each strip or card included in each package and the amount for each item in the package;
- g. The fee charged for using a bingo brain;
- h. All of the prizes, tokens or awards, including door prizes, offered;
- i. Whether prizes are subject to increase or decrease based on actual attendance; and
- j. The types of free plays offered.

(e) The charitable organization shall submit a game schedule request for any game(s) or type of game(s) to the commission at least 30 days before the first game date identified in the game schedule request submitted to the commission.

(f) If, after filing a game schedule request with the commission, a charitable organization wishes to alter the schedule in any manner, the charitable organization shall file a revised game schedule request in accordance with (g) below that addresses the game(s) to be added or altered.

(g) A charitable organization shall submit a written request to the commission for a revised game schedule approval that:

(1) Identifies the date upon which the charitable organization submitting the request proposes that the game(s) described will first be played; and

(2) Includes a proposed game schedule that states the information specified in (d)(2) above.

(h) The charitable organization shall submit the revised game schedule request for any game(s) or type of game(s) to the commission at least 30 days before the first game date identified in the game schedule request submitted to the commission.

(i) The commission shall approve a game schedule or revised game schedule request if the game(s) contained in the request complies(y) with the standards for games set forth in RSA 287-E and this chapter.

(j) A game schedule or revised game schedule approved under (i) above shall be posted in plain view for public inspection in the place where the game(s) will be played.

(k) For any free play listed on a game schedule pursuant to (d)(2)j. above, the criteria for awarding each type of free play shall be submitted to the commission prior to offering the free play.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1012 BINGO TAX AND REIMBURSEMENT FEE

Pari 1012.01 Bingo Tax and Reimbursement Fee.

(a) Except for bingo games licensed under RSA 287-E:10 through RSA 287-E:13, a charitable organization shall deduct and submit to the commission a 7% tax, pursuant to RSA 287-E:8, from all winner-take-all games, including carryover coverall games, which tax shall be taken only from the total amount collected from all of the participants of such games.

(b) All charitable organizations shall deduct and submit to the commission a 7% tax for all bonus games pursuant to RSA 287-E:7, XV based on the total amount contributed by the charitable organization.

(c) The winner-take-all games and the bonus games shall be any games played pursuant to RSA 287-E:7, XIII and XV, respectively, by whatever names they are called.

(d) Pursuant to RSA 287-E:7, XIII (e), a reimbursement fee equal to 7% of the total amount collected from participants in any winner-take-all game, including any carryover coverall game, shall be paid to the charitable organization operating the game.

(e) The charitable organization shall disburse all the monies received in winner-take-all games, except for the 7% tax and the 7% reimbursement fee as specified in (a) and (d) above.

(f) The charitable organization shall disburse all the monies received in bonus games to the winners, except for the 7% tax as specified in (b) above.

(g) The charitable organization shall not deduct any monies other than the tax and, if applicable, the fee described in (d) above, from winner-take-all and bonus game prize pools for any other purpose whatsoever.

(h) The charitable organization shall issue a separate check for each winner-take-all and bonus prize.

(i) Charitable organizations that include winner-take-all strips as part of a package sold for a single price shall not discount the value of the winner-take-all strips when figuring the amount to be assessed for total sales, tax and payout.

(j) The value of any winner-take-all strips sold in packages sold for use with the bingo brain shall be recorded at the same dollar amount as those sold for use without a bingo brain.

(k) The charitable organization shall submit the 7% tax as specified in (a) and (b) above to the commission as part of the monthly financial report pursuant to Pari 1014.01.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1013 BINGO INSPECTION PROCEDURES AND FINANCIAL REQUIREMENTS

Pari 1013.01 Bingo Inspection Procedures.

(a) A charitable organization shall:

- (1) Maintain all books of account, records and supporting documentation of sufficient detail to enable preparation of the monthly financial reports as required by Pari 1014.01 as submitted to the commission; and
- (2) Have all accounts, records and supporting documentation available for inspection by the commission.

(b) A charitable organization shall have proof of all revenues and expenditures related to the operation of bingo games available for review by the commission.

(c) The charitable organization shall:

- (1) Keep checking account records for the accounts specified in Pari 1013.02(a) below on the premises where the game is held; and
- (2) Have all of the records specified in (c)(1) above open and accessible for inspection by the commission.

(d) The charitable organization shall allow an employee or authorized representative of the commission to enter and inspect any facility where bingo games are held for purposes of determining compliance with RSA 287-E and this chapter.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1013.02 Bingo Financial Requirements.

(a) The charitable organization shall have the following separate checking accounts at a financial institution with at least one office in New Hampshire:

- (1) A checking account solely for depositing bingo and lucky 7 revenue; and

- (2) A checking account solely for depositing carryover coverall revenue.
- (b) The charitable organization shall not:
- (1) Transfer or withdraw, by withdrawal slip, any bingo or lucky 7 funds from the account specified in (a)(1) above; and
 - (2) Except as provided in (g) below, transfer or deposit any funds, other than bingo or lucky 7 revenues, into the account specified in (a)(1) above.
- (c) The charitable organization shall only withdraw funds from the accounts specified in (a) above by preprinted, consecutively numbered check.
- (d) The charitable organization shall only use the funds in the account specified in (a)(1) above for:
- (1) Expenditures related to bingo or lucky 7; or
 - (2) Disbursement of bingo or lucky 7 proceeds for a charitable purpose.
- (e) Pursuant to RSA 287-E:9, IV, the charitable organization shall separately identify money deposited from bingo and lucky 7 revenue on each deposit slip.
- (f) Pursuant to RSA 287-E:9, IV, the charitable organization shall pay all expenses and prizes of \$500 or more by preprinted, consecutively numbered check from the account specified in (a)(1) above.
- (g) The charitable organization shall transfer the 7% reimbursement fee specified in Pari 1012.01(d) from the account specified in (a)(2) above to the account specified in (a)(1) above.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1014 MONTHLY FINANCIAL REPORT AND WORKSHEETS

Pari 1014.01 Monthly Financial Report and Worksheets.

- (a) The charitable organization shall submit to the commission within 15 days of the last game date of the month a monthly financial report containing the following forms provided by the commission:
- (1) Form MFR-1, "Package Sales Worksheet";
 - (2) Form MFR-2, "Single Sales Worksheet";
 - (3) Form MFR-3, "Regular Bingo Worksheet";
 - (4) Form MFR-4, "Winner-Take-All Worksheet";
 - (5) Form MFR-5, "Carryover Coverall Worksheet";
 - (6) Form MFR-7, "Monthly Financial Report Summary"; and
 - (7) Form MFR-8, "Monthly Report Checklist".
- (b) The charitable organization's treasurer and chairperson shall:
- (1) Sign and date the Form MFR-8, "Monthly Report Checklist"; and
 - (2) Certify to the following statement:

“I hereby certify, under penalty of unsworn falsification pursuant to RSA 641:3, that the above statements and all documents contained within this Monthly Financial Report and Worksheets are true, accurate and correct and that there are no willful misrepresentations in or falsifications of the above statements or answers to questions.”

(c) Notwithstanding (a) above, until July 1, 2007, charitable organizations may continue to use the following:

- (1) B-39;
- (2) Bingo Monthly Financial Report; and
- (3) Carryover Coverall Monthly Financial Report.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1015 AUXILIARIES

Pari 1015.01 Auxiliaries. Auxiliaries may assist the primary charity in the operation of a bingo game if all of the following are true:

- (a) The auxiliary has been in existence for 2 years;
- (b) The auxiliary was not formed for the primary purpose of operating bingo games; and
- (c) The auxiliary does not hold a bingo license in its own name.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1016 PRIVATE CAMPGROUND, HOTEL AND AGRICULTURAL FAIR LICENSES

Pari 1016.01 Private Campground and Hotel Licenses.

(a) Prior to holding a bingo game, a private campground or hotel shall apply to the commission for a license to conduct bingo games on an “Application for Special Bingo License” form as required by in Pari 1016.05.

(b) A private campground or hotel holding bingo games shall comply with all requirements specified in RSA 287-E:10.

(c) All private campground and hotel licenses shall be effective on May 1 and expire on the following April 30 annually.

(d) If a private campground or hotel fails to submit the required monthly bingo financial reports as required by Pari 1014.01 for any period within 15 days of the private campground or hotel license expiration, the commission shall deny any future license until all of the required financial reports have been submitted.

(e) All other provisions of this chapter shall also apply to bingo games conducted at private campgrounds or hotels unless specifically excluded.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1016.02 Agricultural Fair Licenses.

(a) Prior to holding a bingo game, an agricultural fair shall apply to the commission for a license to conduct bingo games on an “Application for Special Bingo License” form as required by in Pari 1016.05.

(b) An agricultural fair holding a bingo game(s) shall comply with all requirements specified in RSA 287-E:10.

(c) If an agricultural fair fails to submit the required monthly financial report as required by Pari 1014.01 within 15 days of the expiration of the agricultural fair bingo license, the commission shall deny any future license until all the required financial reports have been submitted.

(d) All other provisions of this chapter shall also apply to bingo games conducted at agricultural fairs unless specifically excluded.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1016.03 Application Procedures for Private Campgrounds, Hotels and Agricultural Fairs.

(a) If the commission, for the purpose of determining the applicant’s qualifications for licensure, determines that any information or documents specified in (c) below were not submitted or fully completed by the applicant, the commission shall:

(1) Notify the applicant in writing within 5 days of the date the application is received by the commission; and

(2) Specify the information or documents which the applicant is required to submit or complete.

(b) If required pursuant to (a) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation as specified in Pari 1016.05; and

(2) The application fee as specified in RSA 287-E:10, VI or RSA 287-E:12, I, as applicable.

(d) The commission shall approve or deny the application in writing within 15 days of the date that the application is on file with the commission.

(e) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application process set forth in this section and Pari 1016.04;

(2) Complied with the requirements in Pari 1016.01 or Pari 1016.02, as applicable;

(3) Complied with the requirements in Pari 1016.05; and

(4) Met the qualifications for licensure as specified in RSA 287-E:10 or RSA 287-E:12, as applicable.

(f) The commission shall deny the application if the applicant has:

- (1) Not complied with the application process set forth in this section and Pari 1016.04;
 - (2) Not complied with the requirements in Pari 1016.01 or Pari 1016.02, as applicable;
 - (3) Not complied with the requirements in Pari 1016.05; or
 - (4) Not met the qualifications for licensure as specified in RSA 287-E:10 or RSA 287-E:12, as applicable.
- (g) If the commission denies an application:
- (1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and
 - (2) As applicable, the commission shall:
 - a. Refund to the applicant the application fee pursuant to RSA 287-E:10; and
 - b. Not refund to the applicant the application fee pursuant to RSA 287-E:12, I.
- (h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.
- (i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2)a. above to the commission before the commission will issue a license.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1016.04 Expiration of a Bingo License for a Private Campground, Hotel or Agricultural Fair.

- (a) A bingo license for a private campground, hotel or agricultural fair issued pursuant to this part shall expire:
- (1) For an agricultural fair, on the last game date authorized in the license; or
 - (2) For a private campground or hotel, on April 30.
- (b) A private campground, hotel or agricultural fair shall not hold any bingo games if their license has:
- (1) Expired as specified in (a) above;
 - (2) Been suspended pursuant to Pari 1019.01;
 - (3) Been revoked pursuant to Pari 1019.02; or
 - (4) Been denied pursuant to Pari 1016.03(f).

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1016.05 Application for Special Bingo License Form.

- (a) As specified in Pari 1016.01 and Pari 1016.02, each private campground, hotel or agricultural fair shall apply for a license to conduct bingo games by submitting to the commission a fully completed "Application for Special Bingo License" form provided by the commission.

(b) The person who is submitting the application on behalf of the campground, hotel or fair shall:

- (1) Provide their name, in print, and title or position held within the campground, hotel or fair;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete.”

(c) The campground, hotel or fair shall submit documentation, in the format described in (d) below, that the person submitting the application on behalf of the campground, hotel or fair is an authorized to submit applications and supporting documents on behalf of the campground, hotel or fair.

(d) The documentation required under (c) above shall consist of a letter from the campground, hotel or fair, on the letterhead of the campground, hotel or fair:

- (1) Stating that that the person submitting the application is a authorized to submit the application and supporting documentation;
- (2) Stating the person’s title within the campground, hotel or fair; and
- (3) Stating that the person is presently authorized by campground, hotel or fair to file bingo application forms and supporting materials on behalf of the organization.

(e) The applicant for a special bingo license shall include documentation that the city or town in which the campground, hotel or fair seeks to hold its bingo game or games has adopted, and currently has in effect, the local option provision of RSA 287-E:27, in the form of a copy of the currently-effective ordinance or vote of the municipality adopting these provisions.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1017 COMMERCIAL HALLS

Pari 1017.01 Commercial Hall License Required.

(a) Prior to any charitable organization conducting a bingo game at a commercial hall, the commercial hall shall apply to the commission for a commercial hall license as described in Pari 1017.04.

(b) Applicants for a commercial hall license shall submit the application to the commission at least 45 days prior to any bingo games being conducted in the hall.

(c) A commercial hall license shall be non-transferable and non-assignable.

(d) The commercial hall shall allow an employee or authorized representative of the commission to enter and inspect any facility where bingo games are held for purposes of determining compliance with RSA 287-E and this chapter.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.02 Application Procedures for a Commercial Hall License.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, determines that any information or documents Pari 1017.03 specified in (c) below were not submitted or fully completed by the applicant, the commission shall:

- (1) Notify the applicant in writing within 5 days of the date the application is received by the commission; and
- (2) Specify the information or documents which the applicant is required to submit or complete.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

- (1) A fully completed application form and all required supporting documentation as required by Pari 1017.04; and
- (2) The license fee pursuant to RSA 287-E:4, II-a.

(d) The commission shall approve or deny the application in writing within 30 days of the date that the application is on file with the commission.

(e) The commission shall approve the application and issue a license if the applicant has:

- (1) Complied with the application process set forth in this section; and
- (2) Complied with the requirements specified in Pari 1017.01 through Pari 1017.07.

(f) The commission shall deny the application if the applicant has:

- (1) Not complied with the application process set forth in this section; or
- (2) Not complied with the requirements specified in Pari 1017.01 through Pari 1017.07.

(g) If the commission denies an application:

- (1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and
- (2) Pursuant to RSA 287:4, II-a, the commission shall refund the application fee specified in (c)(2) above to the applicant.

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2) above to the commission before the commission will issue a license.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.03 Expiration of a Commercial Hall License.

(a) A license for a commercial hall issued pursuant to this part shall expire-on June 30.

(b) A bingo game shall not be conducted by any charitable organization at a commercial hall if the hall's license has:

- (1) Expired as specified in (a) above;
- (2) Been suspended pursuant to Pari 1019.01;
- (3) Been revoked pursuant to Pari 1019.02; or
- (4) Been denied pursuant to Pari 1017.02(f).

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.04 Application for a Commercial Hall License.

(a) Each applicant for a commercial hall license shall submit to the commission a fully completed "Application for Commercial Hall License" form provided by the commission.

(b) Each applicant for a commercial hall license shall submit executed copies of all rental or lease agreements, which meet the requirements of Pari 1017.07, in effect with licensed charitable organizations with the commercial hall application.

(c) The commercial hall owner(s) shall:

- (1) Provide their name, in print;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.05 Commercial Hall License Display. Licenses to operate a commercial hall shall be prominently displayed in the public area where the bingo games are conducted.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.06 Effect of a Commercial Hall License Revocation or Suspension. If a commercial hall license is revoked or suspended pursuant to Pari 1019, no charitable organization shall operate bingo games at that location during the period of the revocation or suspension.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1017.07 Commercial Hall Rentals.

(a) The amount of the hall rental to the charitable organization shall not exceed \$4 per player per charitable organization's bingo game date.

(b) The commercial hall shall provide, as part of the hall rental fee, the following items and services to the charitable organization:

- (1) Hall space;
- (2) Tables and chairs sufficient for the conduct of the bingo game;
- (3) Bingo equipment necessary for the conduct of the bingo game including, but not limited to:
 - a. A ball rack;
 - b. A mixing machine; and
 - c. A lighted game board;
- (4) Heat, lights and restroom facilities sufficient for the seating capacity of the hall;
- (5) Snow removal; and
- (6) Trash removal and overall janitorial services sufficient to return the hall to a condition clean and proper for conducting business.

(c) No third party charges shall be assessed to any charitable organization for services set forth in (b) above. Participation in and charges for activities such as advertising, free offer of coffee and donuts to customers, security protection for the charitable organization itself, not security for the hall or parking area, consulting or management services, shall be at the discretion of the charitable organization. Failure to participate in these activities shall not constitute grounds for expulsion from the hall.

(d) The commercial hall shall:

- (1) Submit all amended lease or rental agreements to the commission prior to the agreement being presented to the charitable organizations for their signature; and
- (2) Certify that all lease or rental agreements comply with the stipulations contained in (a) above.

(e) If the commercial hall fails to submit lease agreements upon request, the commission shall not process the license application until such time as the requested information is received.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1018 DISTRIBUTORS AND MANUFACTURERS OF BINGO PAPER SUPPLIES AND EQUIPMENT

Pari 1018.01 Application Procedures for Distributor and Manufacturer Licenses.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, determines that any information or documents specified in (c) below has not been submitted or fully completed by the applicant, the commission shall:

- (1) Notify the applicant in writing within 5 days of the date the application is received by the commission; and
- (2) Specify the information or documents which the applicant is required to submit or complete.

(b) If required pursuant to (a) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation as required by Pari 1018.03 or Pari 1018.04, as applicable; and

(2) The license fee as specified in RSA 287-E:8-a, I or RSA 287-E:8-a, V(b), as applicable.

(d) The commission shall approve or deny the application in writing within 45 days of the date that the application is on file with the commission.

(e) The commission shall approve the application if the applicant has:

(1) Complied with the application process set forth in this section;

(2) Complied with the requirements specified in Pari 1018.03 or Pari 1018.04, as applicable; and

(3) Met the qualifications for licensure as specified in RSA 287-E:8-a.

(f) The commission shall deny the application if the applicant has:

(1) Not complied with the application process set forth in this section;

(2) Not complied with the requirements specified in Pari 1018.03 and Pari 1018.04, as applicable; or

(3) Not met the qualifications for licensure specified in RSA 287-E:8-a.

(g) If the commission denies a license:

(1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and

(2) The application fee specified in (c)(2) above shall be refunded to the applicant.

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2) above to the commission before the commission will issue a license.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1018.02 Expiration of a Bingo License for a Distributor or Manufacturer.

(a) A license for a distributor or manufacturer issued pursuant to this part shall expire on June 30.

(b) A distributor or manufacturer shall not sell, lease or rent any bingo paper, electronic player equipment or lucky 7 vending machines if the distributor's or manufacturer's license has:

(1) Expired as specified in (a) above;

(2) Been suspended pursuant to Pari 1019.01;

- (3) Been revoked pursuant to Pari 1019.02; or
- (4) Been denied pursuant to Pari 1018.01(f).

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1018.03 Distributor License Requirements.

(a) Distributors shall be licensed by the commission prior to selling, leasing or renting any bingo paper supplies, electronic player equipment or lucky 7 vending machines in New Hampshire.

(b) Distributors shall:

- (1) File with the commission a fully completed "Application for Distributor License" form provided by the commission;
- (2) Pursuant to RSA 287-E:8-a, III, submit a bond in the amount of \$50,000 payable to the commission conditioned upon the licensee's compliance with the rules of the commission;
- (3) Submit the licensing fee specified in RSA 287-E:8-a, I; and
- (4) Meet the requirements for licensure under RSA 287-E:8-a and this part.

(c) The person submitting the application on behalf of the distributor shall:

- (1) Provide their name, in print, and their title or position held;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

(d) Electronic bingo systems leased, sold or rented to charitable organizations shall be identified by the manufacturer's name and model identification.

(e) A bingo distributor with a current New Hampshire lucky 7 distributor's license shall be authorized to distribute bingo paper supplies, electronic bingo player systems and lucky 7 vending machines without filing for a license under this section.

(f) All licensed distributors of bingo paper, electronic bingo player equipment or lucky 7 vending machines doing business with charitable organizations licensed by the commission to conduct charitable gaming shall be registered with the secretary of state as required under RSA 293-A, RSA 304-C, RSA 305-A or RSA 349.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1018.04 Manufacturer License Requirements.

(a) Manufacturers shall be licensed by the commission prior to selling any bingo supplies, electronic player equipment or lucky 7 vending machines in New Hampshire.

(b) Manufacturers shall:

- (1) File with the commission a fully completed “Application for Manufacturer License” form provided by the commission;
- (2) Pursuant to RSA 287-E:8-a, III, submit a bond in the amount of \$50,000 payable to the commission and conditioned upon the licensee's compliance with the rules of the commission;
- (3) Submit the licensing fee specified in RSA 287-E:8-a, V(b); and
- (4) Meet the requirements for licensure under RSA 287-E:8-a and this part.

(c) The person submitting the application on behalf of the manufacturer shall:

- (1) Provide their name, in print, and their title or position held;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete.”

(d) A manufacturer with a current New Hampshire lucky 7 manufacturer's license shall be authorized to distribute bingo paper supplies, electronic bingo player equipment and lucky 7 vending machines without filing for a license under this section.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

PART Pari 1019 SUSPENSION AND REVOCATION OF A BINGO LICENSE

Pari 1019.01 Suspension of a Bingo License.

(a) Pursuant to RSA 287-E:14, the commission shall suspend a license issued pursuant to this chapter if a charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer fails to comply with any requirement specified in this chapter or in RSA 287-E.

(b) If the commission suspends a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer specifying:

- (1) The reason for suspension;
- (2) The action to be taken;
- (3) The deadline for completing the necessary action; and
- (4) That failure to complete the action as specified in (b)(2) above within the deadline specified in (b)(3) above will result in revocation of the license.

(c) Pursuant to RSA 287-E:15, the licensee shall have 15 days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

Pari 1019.02 Revocation of a Bingo License.

(a) Pursuant to RSA 287-E:14, the commission shall revoke a license issued pursuant to this chapter if a charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer fails to:

- (1) Respond to a written notification of suspension pursuant to Pari 1019.01(b); or
- (2) Complete the required action within the specified timeframe.

(b) If the commission revokes a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer specifying:

- (1) The reason for revocation; and
- (2) The date that the revocation will be final unless a hearing is requested pursuant to (c) below.

(c) Pursuant to RSA 287-E:15, the licensee shall have 15 days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.

(d) Pursuant to RSA 287-E:14, a licensee whose license is revoked by the commission shall not be eligible for licensure for one year from the date specified in (b)(2) above.

Source. #8802, eff 1-20-07 (See Revision Note at chapter heading for Pari 1000)

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Appendix

Rule	Specific State Statute the Rule Implements
Pari 1001	RSA 287-E:3, XIV
Pari 1002	RSA 287-E:3, XIV
Pari 1003	RSA 287-E:3, I; RSA 287-E:4, I; RSA 287-E:5
Pari 1004	RSA 287-E:3, II; RSA 287-E:4, I; RSA 287-E:5
Pari 1005	RSA 287-E:3, II; RSA 287-E:5
Pari 1006	RSA 287-E:3, II; RSA 287-E:5
Pari 1007	RSA 287-E:3, XII and XIV
Pari 1008	RSA 287-E:3, XII and XIV
Pari 1009	RSA 287-E:3, XII and XIV
Pari 1010	RSA 287-E:3, XII and XIV
Pari 1011	RSA 287-E:3, XII, XIII and XIV
Pari 1012	RSA 287-E:3, XII and XIV; RSA 287-E:7, XIII(e); RSA 287-E:8
Pari 1013	RSA 287-E:3, XII and XIV; RSA 287-E:9
Pari 1014	RSA 287-E:3, XII and XIV; RSA 287-E:9
Pari 1015	RSA 287-E:3:XIV
Pari 1016	RSA 287-E:3, VIII and X; RSA 287-E:10; RSA 287-E:12
Pari 1017	RSA 287-E:3, IX and XIV; RSA 287-E:4, II-a; RSA 287-E:5, VI
Pari 1018	RSA 287-E:3, II-a; RSA 287-E:8-a
Pari 1019	RSA 287-E:3, XIV; RSA 287-E:14